

REMARKS

By this amendment, claims 9-11 and 47-50 have been amended. Claims 1-7 have been previously cancelled and claims 8, 12-48 and 50 have been withdrawn from further consideration. Accordingly, claims 9-11 and 49 are currently pending in the application, of which claim 9 is independent. Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification.

In view of the above Amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Election/Restriction

In this response, independent claim 9 has been amended to recite “*A liquid crystal display (LCD), comprising: a first substrate ... a common electrode formed on the color filter; a first protrusion formed on the common electrode and having a first thickness; and a second protrusion formed on the common electrode and having a second thickness, the second thickness being greater than the first thickness*”. Also, its dependent claims 10, 11 and 47-49 have been amended to be consistent with the amendment made to claim 9.

It should be noted that this amendment was necessary to correct the inconsistency between independent claim 9 and its dependent claims 47, 48 and 50 because, as the Examiner pointed out, “a second insulating substrate” recited in claim 47 cannot be a part of the color filter substrate. Thus, it is submitted that amended dependent claims 47, 48 and 50 are now directed to INVENTION II.

Also, it is submitted that claims 39-46 are directed to INVENTION II since claims 39-46 are also directed to the first and second protrusions having different thickness and formed on a common electrode.

Accordingly, it is respectfully requested that the Requirement for Restriction be partially withdrawn and claims 9-11 and 39-50 be examined together as the same INVENTION II.

Title Objection

The title of the invention stands objected to for not being clearly indicative of the invention to which the claims are directed. In this response, the Title has been amended to read -- LIQUID CRYSTAL DISPLAY HAVING PROTRUSIONS WITH DIFFERENT THICKNESSES--. Applicants believe that this new title is clearly indicative of the invention to which the claims are directed. Thus, withdrawal of the objection is respectfully requested.

Abstract Objection

The Abstract of the Disclosure stands objected for failing to clearly state which is new in the art to which the invention pertains as recited in the elected claims. In this response, the Abstract has been amended to clearly state which is new in the art to which the invention pertains as recited in the elected claims. Thus, withdrawal of the objection is respectfully requested.

Specification Objection

The specification stands objected to for failing to provide proper support for the term “one or more” recited in claim 10. This objection is respectfully traversed.

In this response, the specification has been amended to provide support for the term “one or more”. For clarification purposes only, the specification has been amended to replace “formed with one or more of ... or ...” with --formed of at least one of ... and ...-- in paragraph [0099]. Claim 10 has been also amended to be consistent with the specification.

Applicants believe that the amended paragraph [0099] provide proper support for the terms recites in claim 10. Thus, withdrawal of the objection is respectfully requested.

Claim Objection

Claim 49 stands objected to for being unclear of where the third and fourth protrusions are formed. This objection is respectfully requested to be withdrawn because, in this response, claim 49 has been amended to recite “a third protrusion and a forth protrusion *formed on the common electrode*”.

Applicants believe that amended claim 49 now clearly indicates where the third and forth protrusions are formed. Thus, withdrawal of the objection is respectfully requested.

Double Patenting

Claims 9-11 and 49 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 17-21 of U. S. Patent No. 6,678,031 issued to Song (“Song”) in view of U. S. Patent No. 6,567,144 issued to Kim, et al. (“Kim”) and further in view of U. S. Patent No. 6,067,144 issued to Murouchi (“Murouchi”). This rejection is respectfully traversed.

Double patenting may exist between *a single issued patent* and an application filed by *the same inventive entity having a common assignee*. However, double patenting cannot exist

between an application and a combination of multiple references, of which the inventive entities are different from the inventive entity of the application.

In the Office Action, the double patenting rejection was based on a combination of three issued patent references. If three references had to be combined to make this application obvious over the combination thereof, this application would not have been obvious over them individually. Also, it should be noted that one of the three references has an inventive entity different from that of the present application.

Accordingly, it is respectfully submitted that this double patenting is inappropriate and withdrawal of the rejection is respectfully requested.

Other Matters

None of the amendment has been made for the purpose of avoiding prior art or narrowing the claimed invention because there is no prior art.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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ATTACHMENT: AMENDMENT TO ABSTRACT

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